

AARON LINUS ASHLEY,)
)
Plaintiff,)
)
v.) **CIVIL ACTION NO. 2:10-cv-00035**
)
BANK OF AMERICA CORPORATION)
SERVICING, LP; BANK OF AMERICA, N.A.,)
d/b/a BANK OF AMERICA HOME LOANS,)
BANK OF NEW YORK MELLON d/b/a)
BANK OF NEW YORK; and)
COUNTRYWIDE HOME LOANS, INC.,)
)
Defendants.)
)

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendants BAC Home Loans Servicing, LP, improperly named as “Bank of America Corporation Servicing, LP” (“BAC”), Bank of America, N.A. (“BOA”), and Bank of New York Mellon, formerly known as Bank of New York Company, Inc. (“BONY”) and Countrywide Home Loans, Inc. (“CHL”) (collectively, “Defendants”), hereby respectfully move this Court for an Order dismissing the claims of Plaintiff for failure to state a claim upon which relief can be granted.

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Respectfully submitted,

s/ Donna L. Roberts

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*Counsel for Defendants BAC Home Loans
Servicing, LP; Bank of America, N.A.,
BONY.; and Countrywide Home Loans, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of February, 2010, a copy of the foregoing *Motion to Dismiss*, was mailed by first-class U.S. Mail to:

Aaron Linus Ashley
135 Magnolia Drive
Greeneville, TN 37743

s/ Donna L. Roberts

Donna L. Roberts

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